

03-11-03

GP/3764
#14/5
3-1903

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: T. Habing et al.

Attorney Docket No.: PFIT-1-15689

Application No.: 09/602,198

Group Art Unit: 3764

Filed: June 22, 2000

Examiner: V.K. Hwang

Title: EXERCISE MACHINE PRESS ARM

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MAR 14 2003

REVOCATION AND POWER OF ATTORNEY AND ASSIGNEE STATEMENT UNDER 37 C.F.R. 3.73(B) TECHNOLOGY CENTER R3700

TO THE COMMISSIONER FOR PATENTS:

The assignee hereby revokes all previous powers of attorney given and filed in this application and hereby appoints **Terence P. O'Brien, Reg. No. 43,840**, and the firm of Christensen O'Connor Johnson Kindness^{PLLC} and Bruce E. O'Connor, Reg. No. 24,849; Lee E. Johnson, Reg. No. 22,946; Gary S. Kindness, Reg. No. 22,178; James W. Anable, Reg. No. 26,827; James R. Uhler, Reg. No. 25,096; **Jerald E. Nagae, Reg. No. 29,418**; Dennis K. Shelton, Reg. No. 26,997; Jeffrey M. Sakoi, Reg. No. 32,059; KiSong Kim Lang-Caditz; Ward Brown, Reg. No. 28,400; F. Ross Boundy; Robert J. Carlson, Reg. No. 35,472; Rodney C. Tullett, Reg. No. 34,034; Daiva K. Tautvydas, Reg. No. 36,077; Mary L. Culic Anderson, Reg. No. 40,574; Julie C. VanDerZanden, Reg. No. 38,105; George E. Renzoni, Reg. No. 37,919; Philip P. Mann, Reg. No. 30,960; John D. Denkenberger, Reg. No. 44,060; George S. Farber, Reg. No. 41,497, Kevan L. Morgan, Reg. No. 42,015, members of the firm, as its attorneys with full power of substitution and revocation to prosecute this application to issuance, and to transact all business in the United States Patent and Trademark Office connected therewith and to receive the Letters Patent.

STATEMENT UNDER 37 C.F.R. 3.73(B)

PRECOR INCORPORATED, a Delaware corporation, states that it is the assignee of the entire right, title and interest in the above-identified patent application by the following chain of title:

1. By assignment from the inventors to Pacific Fitness Corporation, by assignment recorded in parent Application No. 09/271,689 in the U.S. Patent and Trademark Office on July 16, 1997, at Reel 008652, Frame 0831;

2. By assignment from Pacific Fitness Corporation to Precor Incorporated, by assignment recorded in the U.S. Patent and Trademark Office on October 19, 1998, at Reel 9547, Frame 0147;

3. By assignment from Precor Incorporated to Illinois Tool Works, Inc., by assignment recorded in the U.S. Patent and Trademark Office on September 21, 2000, at Reel 011390, Frame 0197; and

4. By assignment from Illinois Tools Works, Inc. to Precor Incorporated dated February 6, 2003. A copy of the assignment is attached.

The undersigned has reviewed the documents in the chain of title of the patent application identified above, and to the best of the undersigned's knowledge and belief, title is in the assignee.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

The assignee hereby requests that the Power of Attorney for this application be entered in the file of this application and be given full force and effect.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please address all further correspondence relating to this application to:
Customer No. 26389

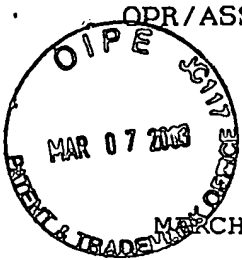
Jerald E. Nagae, Esq.
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue, Suite 2800
Seattle, WA 98101-2347

Respectfully submitted,

PRECOR INCORPORATED

Date: 2/24, 2003


Name: Sonia K. Biell
Title: Assistant Secretary



MARCH 03, 2003



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

PTAS

CHRISTENSEN O'CONNOR JOHNSON ET AL.
JERALD E. NAGAE
1420 FIFTH AVENUE, SUITE 2800
SEATTLE, WA 98101-2347

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MAR 14 2003
TECHNOLOGY CENTER R3700

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/27/2003

REEL/FRAME: 013447/0040
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ILLINOIS TOOL WORKS, INC.

DOC DATE: 02/06/2003

ASSIGNEE:

PRECOR INCORPORATED
20031 142ND AVE NE
WOODINVILLE, WASHINGTON 98072

SERIAL NUMBER: 09382555
PATENT NUMBER:

FILING DATE: 08/25/1999
ISSUE DATE:

SERIAL NUMBER: 09481059
PATENT NUMBER:

FILING DATE: 01/11/2000
ISSUE DATE:

SERIAL NUMBER: 60203651
PATENT NUMBER:

FILING DATE: 05/12/2000
ISSUE DATE:

SERIAL NUMBER: 09602198
PATENT NUMBER:

FILING DATE: 06/22/2000
ISSUE DATE:

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SERIAL NUMBER: 09867782
PATENT NUMBER:

FILING DATE: 05/29/2001
ISSUE DATE:

SERIAL NUMBER: 09858876
PATENT NUMBER:

FILING DATE: 05/11/2001
ISSUE DATE:

SERIAL NUMBER: 10011823
PATENT NUMBER:

FILING DATE: 11/06/2001
ISSUE DATE:

SERIAL NUMBER: 60351961
PATENT NUMBER:

FILING DATE: 01/25/2002
ISSUE DATE:

SERIAL NUMBER: 10090417
PATENT NUMBER:

FILING DATE: 03/01/2002
ISSUE DATE:

SERIAL NUMBER: 10176250
PATENT NUMBER:

FILING DATE: 06/19/2002
ISSUE DATE:

SERIAL NUMBER: 10293968
PATENT NUMBER:

FILING DATE: 11/12/2002
ISSUE DATE:

SERIAL NUMBER: 09271733
PATENT NUMBER: 6165107

FILING DATE: 03/18/1999
ISSUE DATE: 12/26/2000

SERIAL NUMBER: 29103644
PATENT NUMBER: D427156

FILING DATE: 04/19/1999
ISSUE DATE: 06/27/2000

SERIAL NUMBER: 09044555
PATENT NUMBER: 5885193

FILING DATE: 03/19/1998
ISSUE DATE: 03/23/1999

SERIAL NUMBER: 09004622
PATENT NUMBER: 5967954

FILING DATE: 01/08/1998
ISSUE DATE: 10/19/1999

SERIAL NUMBER: 07468100
PATENT NUMBER: 4974831

FILING DATE: 01/10/1990
ISSUE DATE: 12/04/1990

SERIAL NUMBER: 09382556
PATENT NUMBER: 6482130

FILING DATE: 08/25/1999
ISSUE DATE: 11/19/2002

SERIAL NUMBER: 29102098
PATENT NUMBER: D447780

FILING DATE: 03/17/1999
ISSUE DATE: 09/11/2001

SERIAL NUMBER: 09441491
PATENT NUMBER: 6179753

FILING DATE: 09/20/1999
ISSUE DATE: 01/30/2001

SERIAL NUMBER: 08680009
PATENT NUMBER: 5904638

FILING DATE: 07/15/1996
ISSUE DATE: 05/18/1999

SERIAL NUMBER: 07670329
PATENT NUMBER: 5254059

FILING DATE: 03/15/1991
ISSUE DATE: 10/19/1993

SERIAL NUMBER: 29095121
PATENT NUMBER: D439289

FILING DATE: 10/15/1998
ISSUE DATE: 03/20/2001

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SERIAL NUMBER: 29110351
PATENT NUMBER: D438579

FILING DATE: 09/03/1999
ISSUE DATE: 03/06/2001

SERIAL NUMBER: 08865475
PATENT NUMBER: 5897467

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PATENT NUMBER: D324710

FILING DATE: 01/31/1990
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SERIAL NUMBER: 09298349
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FILING DATE: 04/23/1999
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PATENT NUMBER: 5971895

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SERIAL NUMBER: 07239606
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PATENT NUMBER: 4840373

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PATENT NUMBER: 4883270

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PATENT NUMBER: 5308304

FILING DATE: 07/22/1992
ISSUE DATE: 05/03/1994

013447/0040 PAGE 4

SERIAL NUMBER: 08190994
PATENT NUMBER: 5354252

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ISSUE DATE: 10/11/1994

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ISSUE DATE: 05/23/1995

SERIAL NUMBER: 08107951
PATENT NUMBER: 5435798

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ISSUE DATE: 09/08/1998

SERIAL NUMBER: 08309879
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FILING DATE: 09/23/1994
ISSUE DATE: 09/10/1996

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FILING DATE: 06/29/1994
ISSUE DATE: 12/03/1996

SERIAL NUMBER: 08217199
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ISSUE DATE: 01/28/1997

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PATENT NUMBER: 6478720

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ISSUE DATE: 11/12/2002

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ISSUE DATE: 10/16/2001

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PATENT NUMBER: 6238321

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ISSUE DATE: 05/29/2001

SERIAL NUMBER: 29122292
PATENT NUMBER: D440612

FILING DATE: 04/24/2000
ISSUE DATE: 04/17/2001

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PATENT NUMBER: D444515

FILING DATE: 08/22/2000
ISSUE DATE: 07/03/2001

SERIAL NUMBER: 09271689
PATENT NUMBER: 6080091

FILING DATE: 03/18/1999
ISSUE DATE: 06/27/2000

SERIAL NUMBER: 29147084
PATENT NUMBER: D464688

FILING DATE: 08/21/2001
ISSUE DATE: 10/22/2002

SERIAL NUMBER: 29147085

FILING DATE: 08/21/2001

013447/0040 PAGE 5

SERIAL NUMBER: 29147069

FILING DATE: 08/21/2001

PATENT NUMBER: D465000

ISSUE DATE: 10/29/2002

TONYA LEE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

02/27/2003
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RECORDATION FORM COVER SHEET
PATENTS ONLYPatent and Trademark Office
Attorney Docket No.: PREC520523

To the Director - U.S. Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Submission Type

☒ New☐ Resubmission (Non-Recordation)

Document ID# _____

☐ Correction of PTO Error: Reel _____, Frame _____

2. Conveyance Type:

☒ Assignment☐ Security Agreement☐ License☐ Change of Name☐ Merger☒ Other: _____3. Name(s) of conveying party(ies): Execution Date:
Illinois Tool Works, Inc. February 6, 2003Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

4. Name and address of receiving party:

Name: Precor Incorporated

Address: a Delaware Corporation
20031 142nd Ave NE
Woodinville, WA 98072Additional name(s) & address(es) attached? ☐ Yes ☒ No

5. Application number(s) and/or patent number(s):

A. Patent Application No(s). 09/382,555; 09/481,059;
60/203,651; 09/602,198; 09/867,782; 09/858,876;
10/011,823; 60/351,961; 10/090,417; 10/176,250;
10/293,968

B. Patent No(s).

4,974,831; 5,254,059; 5,184,988;
6,165,107; 6,482,130; D439,289; 6,277,055;
D427,156; D447,780; D438,579; D429,781;
5,885,193; 6,179,753; 5,897,467; 5,971,895;
5,967,954; 5,904,638; D324,710; D341,176Additional Patent numbers attached? ☒ Yes ☐ No

6. Name and address of party to whom correspondence concerning document should be mailed:

Jerald E. Nagae, Esq.
Customer No. 26389
CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLC}
1420 Fifth Avenue, Suite 2800
Seattle, WA 98101-2347
Phone: 206.682.8100
Fax: 206.224.0779

7. Total number of applications and/or patents involved: 0

8. Total fee (37 C.F.R. 3.41): \$2,360.00

Enclosed Check No. _____ includes the
recordation fee.9. ☒ The fee is authorized to be charged to Deposit Account
No. 03-1740.10. The Director is hereby authorized to charge any fees under
37 C.F.R. § 3.41 which may be required by this paper, or
credit any overpayment, to Deposit Account No. 03-1740.

DO NOT USE THIS SPACE

11. Statement and signature: To the best of my knowledge and belief, the foregoing information is true and correct and any attached
copy is a true copy of the original document.

Jerald E. Nagae

Name of Attorney or Agent
Registration No. 29,418
Direct Dial 206.695.1705

Signature

February 27, 2003

Date

Total number of pages, including cover sheet, attachments, and document: 6

I hereby certify that this correspondence is being sent via facsimile 1-703-306-5995 and addressed to the Box Assignment, Director -
U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on the below date.

Date: February 27, 2003

Eric Lindley

CONTINUATION OF BOX 5BADDITIONAL PATENT NUMBERS FOR ASSIGNMENT RECORDINGPatent No.

D358,183
D370,040
4,838,548
4,840,373
4,883,270
4,917,379
5,085,430
5,199,935
5,253,915
5,308,304
5,354,252
5,366,432
5,417,633
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5,435,798
5,468,202
5,803,882
5,554,086
5,580,337
5,597,257
6,478,720
D449,356
6,238,321
D440,612
D444,515
6,080,091
D464,688
D464,689
D465,000

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TECHNOLOGY CENTER R3700

TOTAL 59 PATENT APPLICATIONS/PATENTS IN THIS ASSIGNMENT

Christensen O'Connor Johnson Kindness PLLC
1420 Fifth Avenue, Suite 2800
Seattle, WA 98101
Tel: 206-462-8100
Fax: 206-224-0779

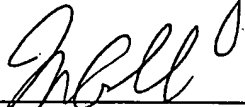
ASSIGNMENT

WHEREAS, Illinois Tool Works, Inc., a Delaware Corporation having a principal place of business at 3600 West Lake Avenue, Glenview, IL 60025 USA, (hereinafter the "ASSIGNOR"), is the owner of the United States patents and applications listed in Schedule A attached hereto (hereinafter the "PATENT CASES");

AND WHEREAS, Precor Incorporated, a Delaware Corporation having a principal place of business at 20031 142nd Ave NE, Woodinville, WA 98072-4002 USA (hereinafter the "ASSIGNEE"), is desirous of acquiring the entire right, title and interest of the Assignor in and to the PATENT CASES;

NOW, THEREFORE, for sufficient, good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR does hereby sell, assign and transfer unto ASSIGNEE its entire right and title to and interest in said PATENT CASES and said inventions, including the right to apply for patents thereon in foreign countries in the name of ASSIGNEE, said inventions and all applications and patents on said inventions to be held and enjoyed by ASSIGNEE as entirely as the same would have been held and enjoyed by ASSIGNOR had this sale, assignment and transfer not been made.

Executed at: Glenview, Illinois this 6th day of February, 2003.

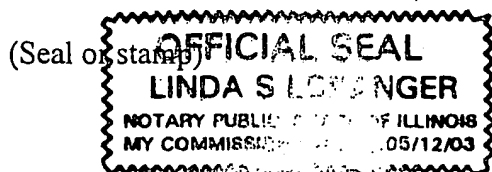


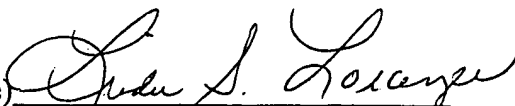
Mark W. Croll
Vice President

STATE OF ILLINOIS)
) ss.
COUNTY OF Cook)

I certify that I know or have satisfactory evidence that Mark W. Croll is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Vice President of Illinois Tool Works Inc., to be the free and voluntary act of such party for the uses and purposed mentioned in the instrument.

Dated: 2-6-03



(Signature) 
Printed Name: LINDA S. LORANGER
Notary Public in and for the State of Illinois
My appointment expires 5-12-03



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MAR 14 2003

TECHNOLOGY CENTER R3700

SCHEDULE A

U.S. PATENTS AND APPLICATIONS

Our Ref.	Title	Serial No.	Filing Date	Patent No.	Issue Date
4447	EXERCISE TREADMILL	468,100	1/10/1990	4,974,831	12/4/1990
5270	EXERCISE APPARATUS	07/670,329	3/15/1991	5,254,059	10/19/1993
5284	EXERCISE TREADMILL	621,632	12/4/1990	5,184,988	2/9/1993
12780	FLEXIBLY COORDINATED MOTION ELLIPTICAL EXERCISER	09/271,733	3/18/1999	6,165,107	12/26/00
12952	STATIONARY EXERCISE DEVICE	09/382,556	8/25/1999	6,482,130	11/19/02
13007	EXERCISE CYCLE	29/095,121	10/15/1998	D439,289	3/20/01
13174	FLEXIBLY COORDINATED STATIONARY EXERCISE DEVICE	09/298,349	4/23/1999	6,277,055	8/21/01
13257	DISPLAY PANEL	103,644	4/19/1999	D427,156	6/27/2000
13259	EXERCISE TREADMILL	29/102,098	3/17/1999	D447,780	9/11/01
13661	CONTROL PANEL	29/110,351	9/3/1999	D438,579	3/6/01
13708	CROSSTRAINER DESIGN	29/110,353	9/3/1999	D429,781	08/22/00
13808	BI-DIRECTIONAL CAM EXERCISE MACHINE	09/044,555	03/19/98	5,885,193	03/23/99
13872	SUSPENSION SYSTEM FOR EXERCISE APPARATUS	09/441,491	9/20/1999	6,179,753	1/30/01
13945	ARTICULATED UPPER ARM EXERCISER	08/865,475	05/29/97	5,897,467	04/27/99
13948	COMBINED PRESS AND ROW EXERCISE ARM	08/938,076	09/26/97	5,971,895	10/26/99
13949	CROSSOVER EXERCISER	09/004,622	01/08/98	5,967,954	10/19/99
13950	EXERCISE MACHINE ADJUSTING MECHANISM	08/680,009	07/15/96	5,904,638	05/18/99
13955	PHYSICAL EXERCISER (NEWPORT DESIGN)	07/473,174	01/30/91	D324,710	03/17/92
13956	MOLDED SEAT CUSHION FOR EXERCISE APPARATUS	07/857,796	03/25/92	D341,176	11/09/93

Our Ref.	Title	Serial No.	Filing Date	Patent No.	Issue Date
13957	EXERCISE MACHINE	29/009,701	06/17/93	D358,183	05/09/95
13958	EXERCISE MACHINE	29/033,824	01/20/95	D370,040	05/21/96
13961	FOUR-BAR VARIABLE RESISTANCE LEG EXTENSION MACHINE	07/239,606	09/01/88	4,838,548	06/13/89
13962	FOUR-BAR RIGID-DRIVE VARIABLE RESISTANCE PECTORAL FLY MACHINE	07/172,550	03/24/88	4,840,373	06/20/89
13963	FOUR-BAR VARIABLE RESISTANCE FRONTAL CALF DEVELOPING MACHINE	07/308,192	02/09/89	4,883,270	11/28/89
13964	FOUR-BAR VARIABLE RESISTANCE ARM EXTENSION MACHINE	07/368,408	06/19/89	4,917,379	04/17/90
13965	MULTIPLE STATION EXERCISE APPARATUS	07/658,077	02/20/91	5,085,430	02/04/92
13967	MOLDED TOP WEIGHT	07/862,295	04/02/92	5,199,935	04/06/93
13968	EXERCISE METHOD WITH ADJUSTABLE POSITION EXERCISE MEMBERS	08/008,395	01/25/93	5,263,915	11/23/93
13969	MULTI-HIP EXERCISER	07/918,251	07/22/92	5,308,304	05/03/94
13970	MULTI-HIP EXERCISER	08/190,994	02/03/94	5,354,252	10/11/94
13971	LEG PRESS	07/900,602	06/18/92	5,366,432	11/22/94
13972	MULTIPLE STATION EXERCISE APPARATUS (MULTI-LEVER)	08/173,921	12/27/93	5,417,633	05/23/95
13973	EXERCISE MACHINE WITH ADJUSTABLE POSITION EXERCISE MEMBERS	08/303,129	09/08/94	5,417,634	05/23/95
13974	EXERCISE APPARATUS WITH ELECTRONICALLY VARIABLE RESISTANCE	08/107,951	08/17/93	5,435,798	07/25/95
13975	MULTI-HIP EXERCISER	08/262,148	06/20/94	5,468,202	11/21/95
13976	ARCUATE TRICEPS/BICEPS	08/865,217	05/29/97	5,803,882	09/08/98
13977	FOUR BAR PENDULUM LEG PRESS EXERCISE APPARATUS	08/309,879	09/23/94	5,554,086	09/10/96
13978	EXERCISE MACHINE ADJUSTMENT MECHANISM	08/263,988	06/29/94	5,580,337	12/03/96

Our Ref:	Title	Serial No.	Filing Date	Patent No.	Issue Date
13979	ADJUSTABLE PRESS ARM	08/217,199	03/23/94	5,597,257	01/28/97
14191	CROSS TRAINING EXERCISE DEVICE	09/382,555	8/25/1999		
14419	CUSHIONED PIVOTING DECK	09/481,059	1/11/2000		
14421	TREADMILL MOTOR COOLING SYSTEM	09/519,676	3/6/2000	6,478,720	11/12/02
14422	CROSS TRAINING EXERCISER DESIGN	29/112,291	10/13/1999	D449,356	10/16/01
14534	EXERCISE DEVICE	09/419,404	10/14/1999	6,238,321	5/29/01
15275	DISPLAY PANEL EXTENSION	29/122,292	4/24/2000	D440,612	4/17/01
15528	TREADMILL CUSHIONS	60/203,651	5/12/2000		
15553	STATIONARY EXERCISE CYCLE	29/128,346	08/22/00	D444,515	7/3/01
15682	EXERCISE MACHINE PRESS ARM	09/271,689	03/18/99	6,080,091	06/27/00
15689	EXERCISE MACHINE PRESS ARM	09/602,198	06/22/00		
17132	EXERCISE DEVICE	09/867,782	5/29/01		
17270	TREADMILL CUSHION	09/858,876	5/11/01		
17333	INSULATING RING FOR ELECTROMECHANICAL MACHINE	10/011,823	11/6/01		
17514	CROSSTRaining EXERCISE DEVICE	29/147,084	8/21/01	D464,688	10/22/02
17716	CROSSTRaining EXERCISE DEVICE	29/147,085	8/21/01	D464,689	10/22/02
17717	CROSSTRaining EXERCISE DEVICE	29/147,069	8/21/01	D465,000	10/29/02
18623	CONTROLLER FOR EXERCISE EQUIPMENT DRIVE MOTOR	60/351,961	1/25/02		
18635	SELF-POWERED FITNESS EQUIPMENT	10/090,417	3/1/02		
18937	METHOD AND SYSTEM FOR REDUCING BEARING FLUTING IN ELECTROMECHANICAL MACHINE	10/176,250	6/19/02		
20062	TREADMILL MOTOR COOLING SYSTEM	10/293,968	11/12/02		